

**WEDNESDAY, MAY 7, 1997**

**THIRTY-NINTH LEGISLATIVE DAY**

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative John DeBerry.

Representative John DeBerry led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 98

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Garrett; personal reasons

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 243:** Rep(s). Fitzhugh and Miller as prime sponsor(s).

**House Joint Resolution No. 249:** Rep(s). Caldwell and Bone as prime sponsor(s).

**House Bill No. 381:** Rep(s). Bowers as prime sponsor(s).

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**House Bill No. 772:** Rep(s). Naifeh, J. DeBerry, U. Jones, McDonald, McMillan, Wood, Langster, Williams, Hood, Eckles, Davidson, Odom, Rhinehart, S. Jones, Stulce, Winningham, Armstrong, West, Tindell, Phelan, Givens, Cole (Dyer), Roach, Rinks, McKee, L. DeBerry, Ridgeway, Tidwell, Maddox, Whitson, Patton, Ford, Cole (Carter), Cross, Miller, Cooper, Sargent, Lewis, Hargrove, Bowers, Beavers, Kisber, McDaniel, Godsey, Pruitt, White, Clabough, Goins, Mumpower, Brooks, Pinion, Bird, Davis, Huskey, Sands, Towns, Fitzhugh, Boner, Robinson, Haley and Kerr as prime sponsor(s).

**House Bill No. 1441:** Rep(s). Sharp as prime sponsor(s).

**ENGROSSED BILLS**

**May 6, 1997**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 665.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR**

**May 6, 1997**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill No. 1963, without his signature.

COURTNEY PEARRE, Counsel to the Governor.

**ENROLLED BILLS**

**May 6, 1997**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 24, 90, 115, 168, 220, 227, 230, 238 and 240; also, House Resolution(s) No(s). 19 and 72.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**May 6, 1997**

The Speaker signed the following: House Joint Resolution(s) No(s). 24, 90, 115, 168, 220, 227, 230, 238 and 240; also, House Resolution(s) No(s). 19 and 72.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**May 6, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1159 and 1901; also, House Joint Resolution(s) No(s). 24, 90, 115, 168, 220, 227, 230, 238 and 240; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**  
**May 6, 1997**

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 1159 and 1901; also, House Joint Resolution(s) No(s). 24, 90, 115, 168, 220, 227, 230, 238 and 240.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**INTRODUCTION OF RESOLUTIONS**

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**\*House Resolution No. 75** -- General Assembly, Statement of Intent or Position - Urges companies handling hazardous materials to comply with guidelines. by \*Cooper B.

Transportation Committee

**\*House Joint Resolution No. 242** -- Highway Signs - "Kelley Creek Bridge," S.R. 99, Rutherford County. by \*Beavers.

Transportation Committee

**\*House Joint Resolution No. 244** -- General Assembly, Directed Studies - Directs TDOT to conduct study relative to feasibility of constructing bypass connecting U.S. 64 to S.R. 50 in Franklin County. by \*Fraleigh.

Transportation Committee

**\*House Joint Resolution No. 248** -- Highway Signs - "Benny Martin," U.S. 70 and 111, White County. by \*Curtiss.

Transportation Committee

**House Joint Resolution No. 265** -- General Assembly, Directed Studies - Requires department of transportation to annually report on receipt of revenues from malt beverage and soft drink industries earmarked for litter control and litter education. by \*Whitson, \*Davis R.

State & Local Government Committee

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for May 8, 1997:

**House Resolution No. 74** -- Memorials, Recognition and Thanks - Perry Link. by \*Rhinehart.

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**House Joint Resolution No. 251** -- Memorials, Personal Achievement - Paul M. Ross, Eagle Scout. by \*Pleasant, \*Hargett, \*Haley.

**House Joint Resolution No. 252** -- Memorials, Sports - Soddy-Daisy High School cheerleading squad, Cheerleaders of America national champions. by \*Stulce.

**House Joint Resolution No. 253** -- Memorials, Academic Achievement - Jonathan Harmon, Salutatorian, Smyrna High School. by \*Beavers.

**House Joint Resolution No. 254** -- Memorials, Academic Achievement - Nikolaus Jordan, Valedictorian, Smyrna High School. by \*Beavers.

**House Joint Resolution No. 255** -- Memorials, Academic Achievement - Steven Miller, Valedictorian, Smyrna High School. by \*Beavers.

**House Joint Resolution No. 256** -- Memorials, Academic Achievement - Robert Calloway Renegar, Salutatorian, Riverdale High School. by \*Beavers.

**House Joint Resolution No. 257** -- Memorials, Academic Achievement - Dana Marie Overman, Valedictorian, Riverdale High School. by \*Beavers.

**House Joint Resolution No. 258** -- Memorials, Academic Achievement - Jonathan Arthur Carlson, Valedictorian, Riverdale High School. by \*Beavers.

**House Joint Resolution No. 259** -- Memorials, Academic Achievement - Andrew Robert Schnell, Valedictorian, Riverdale High School. by \*Beavers.

**House Joint Resolution No. 260** -- Memorials, Academic Achievement - Carol Ashley Loflin, Valedictorian, Oakland High School. by \*Beavers.

**House Joint Resolution No. 261** -- Memorials, Academic Achievement - Larry Ezzelle, Valedictorian, Oakland High School. by \*Beavers.

**House Joint Resolution No. 262** -- Memorials, Academic Achievement - Alex Brown, Valedictorian, Oakland High School. by \*Beavers.

**House Joint Resolution No. 266** -- Memorials, Interns - Gregory E. Barker. by \*Whitson, \*Newton, \*Hicks, \*Walker, \*Patton.

**House Joint Resolution No. 267** -- Memorials, Sports - Wayne County High School, 1995-1996 TSSAA A.F. Bridges award. by \*White.

**House Joint Resolution No. 268** -- Memorials, Sports - 1996-1997 Lewis County High School boys' basketball team. by \*White.

**House Joint Resolution No. 270** -- Memorials, Public Service - Lois Winston, The Community Resource Center and Alive Hospice "Volunteer of the Week.", by \*Langster, \*Pruitt, \*Naifeh, \*Armstrong, \*West, \*Jones U (Shelby), \*Jones, S., \*DeBerry L, \*Kisber, \*Boner.

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**House Joint Resolution No. 271** -- Memorials, Academic Achievement - Tiffanie Sadler, Salutatorian, LaVergne High School. by \*Beavers, \*Eckles, \*Hood.

**House Joint Resolution No. 273** -- Memorials, Academic Achievement - Jessica Porter, Valedictorian, LaVergne High School. by \*Beavers, \*Eckles, \*Hood.

**House Joint Resolution No. 274** -- Memorials, Academic Achievement - Adam Wallace, Valedictorian, Eagleville High School. by \*Beavers, \*Eckles, \*Hood.

**House Joint Resolution No. 275** -- Memorials, Academic Achievement - Clint Carlin, Valedictorian, LaVergne High School. by \*Beavers, \*Eckles, \*Hood.

**House Joint Resolution No. 276** -- Memorials, Academic Achievement - Joseph Ash, Salutatorian, Eagleville High School Salutatorian. by \*Beavers, \*Eckles, \*Hood.

**House Joint Resolution No. 277** -- Memorials, Academic Achievement - Michael Welch, Salutatorian, LaVergne High School. by \*Beavers, \*Eckles, \*Hood.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for May 8, 1997:

**Senate Joint Resolution No. 206** -- Naming and Designating - "Marguerite Henry Day," April 13, 1997. by \*Jordan.

**Senate Joint Resolution No. 221** -- Memorials, Public Service - Will T. Cheek, former Chairman of Tennessee Democratic Party. by \*Haynes, \*Henry, \*Rochelle, \*Womack, \*Dixon, \*Harper, \*Herron, \*Cohen.

**RESOLUTIONS LYING OVER**

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

**\*Senate Joint Resolution No. 182** -- Highway Signs - "Veterans Memorial Bridge," Washington Ave. (S.R. 35) viaduct in Maryville, Blount County. by \*Koella.

Transportation Committee

**\*Senate Joint Resolution No. 141** -- General Assembly, Studies - Creates special joint committee to study harmful effects of sinkholes. by \*McNally, \*Davis L, \*Rochelle, \*Springer.

State & Local Government Committee

**\*Senate Joint Resolution No. 197** -- General Assembly, Confirmation of Appointment - John Mark Hayes, State Forestry Commission. by \*Burks.

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**Agriculture Committee**

**\*Senate Joint Resolution No. 201** -- General Assembly, Confirmation of Appointment  
- Michael D. Martin, State Forestry Commission. by \*Wilder.

**Agriculture Committee**

**\*Senate Joint Resolution No. 202** -- General Assembly, Confirmation of Appointment  
- J.W. "Jim" Carpenter, Tennessee Forestry Commission. by \*Wilder.

**Agriculture Committee**

**DELAYED BILLS REFERRED**

**May 7, 1997**

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 1995 and 1996, was/were referred to the Delayed Bills Committee.

**House Bill No. 1995** -- Taxes, Real Property - Deems residential real property to have no value if occupied by owner as primary residence and located in clear zone or buy-out area established in connection with Shelby County Airport Noise Compatibility Program; makes retroactive to date program established. Amends TCA Title 67, Chapter 5, Part 6. by \*Bowers.

**\*House Bill No. 1996** -- Regional Authorities - Expands jurisdiction of Carroll County Watershed Authority Amends TCA. by \*Phelan.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 629** -- Insurance, Health, Accident - Requires disclosure to patients by health care providers of financial contracts and arrangements between provider and health care plan, including reporting bonuses or other incentives to reward provider for reducing or limiting range and amount of services rendered. Amends TCA Title 56; Title 63; Title 68 and Title 71. by \*Person. (HB988)

**\*Senate Bill No. 702** -- Motor Vehicles, Titling and Registration - Requires registration plates to specify county of issue or county of residence of vehicle owner. Amends TCA Title 4; Title 55, Chapters 3 and 4. by \*McNally. (HB1147)

**\*Senate Bill No. 1561** -- District Attorneys - Revises quantity of funded positions in several judicial districts. Amends TCA Section 16-2-506. by \*Crutchfield, \*McNally, \*Rochelle. (HB1664)

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**\*Senate Bill No. 1635** -- Sports - Permits mayor rather than council to appoint sports authority members in certain municipalities; establishes sales tax allocation for AA or higher baseball affiliate to finance project of sports authority Amends TCA Title 7, Chapter 67 and Section 67-6-103. by \*Carter. (HB1397)

### HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 1994** -- Manchester -- Local Bill Held on House Desk

### REPORTS FROM STANDING COMMITTEES

The committees that met on **May 6, 1997**, reported the following:

#### COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **May 8, 1997**: House Bill(s) No(s). 258, 795, 1413, 1212, 889, 599, 1705, 1812, 983, 32, 437, 442, 1396, 1803, 700, 790 and House Joint Resolution(s) No(s).207.

The Committee set the following bill(s) on the **Consent Calendar** for **May 8, 1997**: House Resolution(s) No(s). 64.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **May 12, 1997**: House Bill(s) No(s). 1633, 1601, 1315, 433, 432, 438, 184, 1469, 1470, 1638, House Joint Resolution(s) No(s). 217 and Senate Joint Resolution(s) No(s).169.

#### AGRICULTURE

The Agriculture Committee recommended for passage: House Bill(s) No(s). 191 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

#### COMMERCE

The Commerce Committee recommends for passage: House Bill(s) No(s). 1128, 529, 507 and 986 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 387 and 1152 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

## EDUCATION

The Education Committee recommended for passage: House Bill(s) No(s). 1239 and Senate Joint Resolution(s) No(s). 84 85, also House Bill(s) No(s). 1522, 1154, 1755 and 211 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1632 and 833. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

## FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 412, 1731, 1485, 945, 1817 and 1913, also House Bill(s) No(s). 1397, 685, 596, 1568, 409, 1673 and 1055 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

## GOVERNMENT OPERATIONS

The Government Operations Committee recommended for passage: House Bill(s) No(s). 173, 1310 and 612 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

After review, the Government Operations Committee recommended that House Bill(s) No(s). 1409 be referred to the Education Committee and that House Bill(s) No(s). 1858 be referred to the Health & Human Resources Committee.

## HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 1839, 1659, House Joint Resolution(s) No(s). 155 and Senate Joint Resolution(s) No(s). 61, also House Bill(s) No(s). 1964 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

## REPORTS FROM STANDING COMMITTEES

The committees that met on **May 7, 1997**, reported the following:

### COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **May 12, 1997**: House Bill(s) No(s). 381, 273, 1660, 654, 1275, 150, 449 and House Joint Resolution(s) No(s). 219.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **May 12, 1997**: House Bill(s) No(s). 1719, Senate Joint Resolution(s) No(s). 124 and House Joint Resolution(s) No(s). 192, 147 and 61.



### CHILDREN & FAMILY AFFAIRS

The Committee on Children and Family Affairs recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1109 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### CONSUMER AND EMPLOYEE AFFAIRS

The Consumer and Employee Affairs Committee recommended for passage: House Bill(s) No(s). 1573 and 1785 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1019 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 1435 and 1580, also House Bill(s) No(s). 692, 435, 1591, 482 and 1647 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 797 and 1636 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 480 and 872, also House Bill(s) No(s). 990 and 169 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1510, 1395 and 1518 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

### TRANSPORTATION

The Transportation Committee recommended for passage: House Bill(s) No(s). 390, House Joint Resolution(s) No(s). 213, 199, 152 and 196, and Senate Joint Resolution(s) No(s). 129. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 410; also House Bill(s) No(s). 1343 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

**CAPTION BILLS REFERRED**

**May 7, 1997**

Pursuant to **Rule No. 47**, the following Caption Bill(s), 136, 425, 1297, 1104, 1726, 1465, 954, 1828, 1888, 380, 1036, 1012, 1354, 90, 1712, 347 and 1985 held on the Clerk's desk were referred to the following Committee(s):

**\*House Bill No. 136** -- Private Protective Services -- House Commerce Committee

**\*House Bill No. 425** -- Contractors -- House Commerce Committee

**House Bill No. 1297** -- Motor Vehicles -- House Commerce Committee

**House Bill No. 1104** -- Minors, 12-18 -- House Children & Family Affairs Committee

**\*House Bill No. 1726** -- Adoption -- House Children & Family Affairs Committee

**House Bill No. 1465** -- Workers' Compensation -- House Consumer & Employee Affairs Committee

**House Bill No. 954** -- Privacy, Confidentiality -- House Health & Human Resources Committee

**\*House Bill No. 1828** -- Taxes, Sales -- House Finance, Ways & Means Committee

**\*House Bill No. 1888** -- Penal and Reformatory Institutions -- House State & Local Government Committee

**\*House Bill No. 380** -- Criminal Offenses -- House Health & Human Resources Committee

**House Bill No. 1036** -- Massage -- House Health & Human Resources Committee

**House Bill No. 1012** -- Medicine, Practice of -- House Health & Human Resources Committee

**House Bill No. 1354** -- Landlord and Tenant -- House Commerce Committee

**\*House Bill No. 90** -- Penal and Reformatory Institutions -- House Judiciary Committee

**House Bill No. 1712** -- Hospitals and Health Care Facilities -- House Health & Human Resources Committee

**House Bill No. 347** -- Tobacco, Tobacco Products -- House Finance, Ways & Means Committee

**House Bill No. 1985** -- Anderson County -- House Agriculture Committee

**CONSENT CALENDAR**

**House Resolution No. 73** -- Memorials, Professional Achievement - Jim Gray. by \*Phillips.

**House Joint Resolution No. 241** -- Memorials, Academic Achievement - Cookeville High School Varsity Academic Bowl Team, 1996-1997 Tennessee High School State Academic Champions. by \*Hargrove.

**House Joint Resolution No. 243** -- Memorials, Interns - Mark Honeycutt. by \*Phillips.

**House Joint Resolution No. 245** -- Memorials, Interns - Shannon David Russell. by \*Phillips, \*Miller L, \*Fitzhugh.

**House Joint Resolution No. 246** -- Memorials, Death - Charles Edward Qualls. by \*Arriola.

**House Joint Resolution No. 247** -- Memorials, Professional Achievement - Susan King, Polk County Teacher of the Year. by \*Newton.

**House Joint Resolution No. 249** -- Memorials, Recognition and Thanks - Alpha Upsilon Chapter, Alpha Gamma Rho Fraternity. by \*Maddox.

**House Joint Resolution No. 250** -- Memorials, Death - Elmore "Scoop" Hudgins, Southeastern Conference and Vanderbilt University Sports Information Director. by \*West, \*Jones, S., \*Boner, \*Odom, \*Langster, \*Pruitt, \*Bone.

**Senate Joint Resolution No. 213** -- Memorials, Death - Elma Collier. by \*Cooper.

**Senate Joint Resolution No. 215** -- Memorials, Professional Achievement - Hannah Hughes Hall, Tennessee Teachers' Hall of Fame. by \*Burks, \*Womack.

**Senate Joint Resolution No. 218** -- Memorials, Professional Achievement - Wallace Johnston, Jr., Tennessee Tree Farmer of the Year. by \*Kyle, \*Dixon, \*Cohen, \*Leatherwood, \*Person.

**Senate Joint Resolution No. 220** -- Memorials, Recognition and Thanks - Mighty Eighth Air Force Heritage Museum. by \*Crowe, \*Womack.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 97  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

### REGULAR CALENDAR

**House Bill No. 1202** -- Fees - Increases probate court clerk fees in Shelby County. Amends TCA Section 8-21-401. by \*DeBerry J, \*Kent. (\*SB731 by \*Person, \*Person)

Further consideration of House Bill No. 1202, previously considered on April 28, 1997, and April 30, 1997, at which time the House adopted Amendment No. 1, and reset to today's Calendar.

Rep. J. DeBerry moved that House Bill No. 1202, as amended, be passed on third and final consideration.

Rep. Kernell moved adoption of Amendment No. 2 as follows:

### Amendment No. 2

AMEND House Bill No. 1202 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county commission of Shelby County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county commission and certified to the Secretary of State.

Section \_\_\_\_\_. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 3 of the printed bill.

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On motion, Amendment No. 2 was adopted.

Rep. Turner (Shelby) moved adoption of Amendment No. 3 as follows:

**Amendment No. 3**

AMEND House Bill No. 1202 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. All fee increases provided for in this act are hereby reduced by half; the chief engrossing clerk is hereby directed to amend the figures accordingly.

Rep. J. DeBerry moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes.....	61
Noes .....	13
Present and not voting.....	13

Representatives voting aye were: Armstrong, Beavers, Bittle, Bone, Bowers, Boyer, Buck, Burchett, Clabough, Cole (Carter), Cole (Dyer), Davis, Dunn, Eckles, Ford, Fowlkes, Fraley, Gunnels, Haley, Halteman-Harwell, Hargett, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Kent, Kerr, Kisber, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Mumpower, Newton, Odom, Patton, Phelan, Pinion, Rhinehart, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Turner (Hamilton), Walker, Walley, West, Wood -- 61.

Representatives voting no were: Brown, Chumney, Cooper, Davidson, DeBerry L., Langster, Miller, Phillips, Pleasant, Towns, Turner (Shelby), Williams, Winningham -- 13.

Representatives present and not voting were: Bird, Boner, Caldwell, Cross, Ferguson, Givens, Goins, Hargrove, Jones U., Kernell, Ridgeway, White, Whitson -- 13.

Rep. McAfee moved the previous question, which motion prevailed.

Rep. J. DeBerry moved that **House Bill No. 1202**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	57
Noes .....	19
Present and not voting.....	18

Representatives voting aye were: Armstrong, Bittle, Boyer, Buck, Burchett, Clabough, Cole (Carter), Cole (Dyer), Curtiss, Davis, DeBerry J., Dunn, Fitzhugh, Ford, Fowlkes, Fraley, Gunnels, Haley, Halteman-Harwell, Hassell, Hicks, Huskey, Jackson, Jones S., Jones U., Kent, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Pinion, Pruitt, Rhinehart, Roach, Robinson, Sands, Sargent,

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Scroggs, Sharp, Stamps, Stulce, Tidwell, Turner (Hamilton), Walker, Walley, Whitson, Wood -- 57.

Representatives voting no were: Beavers, Bowers, Brown, Cooper, Cross, Davidson, DeBerry L., Eckles, Ferguson, Hargett, Hargrove, Hood, Kernell, Phillips, Pleasant, Ridgeway, Towns, Turner (Shelby), Williams -- 19.

Representatives present and not voting were: Bird, Bone, Boner, Caldwell, Chumney, Givens, Godsey, Goins, Head, Maddox, McDonald, Rinks, Ritchie, West, Westmoreland, White, Winningham, Mr. Speaker Naifeh -- 18.

A motion to reconsider was tabled.

**\*Senate Bill No. 1621** -- Equalization Board - Provides for county board of equalization members from each of the four largest cities in counties with populations from 10,000 to 60,000, rather than two largest cities, as under present law. Amends TCA Section 67-1-401. by \*Leatherwood, \*Person. (HB1456 by \*Jones U (Shelby), \*Kent, \*Cross, \*Turner (Shelby), \*Brooks)

Further consideration of Senate Bill No. 1621, previously considered on April 14, 1997, April 17, 1997, April 28, 1997, and April 30, 1997, at which time the House was on the motion to adopt Amendment No. 1 and Amendment No. 2 was withdrawn, and reset to today's Calendar.

Rep. U. Jones moved that Senate Bill No. 1621 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

**House Bill No. 1161** -- Children - Reinstates definition of "abandonment" in TCA Title 37 (same definition as in TCA Title 36). Amends TCA Section 37-2-402. by \*McMillan. (\*SB1204 by \*Kyle)

On motion, House Bill No. 1161 was made to conform with **Senate Bill No.1204**; the Senate Bill was substituted for the House Bill.

Rep. McMillan moved that Senate Bill No. 1204 be passed on third and final consideration.

Rep. Turner (Hamilton) moved adoption of Children & Family Affairs Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 1204 by adding the language "to such a degree that it appears unlikely that they will be able to provide a suitable home for the child" between the words "demonstrated a lack of concern for the child" and "at an early date." in subsection (1)(A)(ii) of Section 1.

On motion, Amendment No. 1 was adopted.

Rep. McMillan moved that **Senate Bill No. 1204**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 95  
Noes ..... 0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**House Bill No. 1053** -- Insurance Companies, Agents, Brokers - Clarifies that financing or refinancing transactions do not require notification of title insurance availability. Amends TCA Title 56, Chapter 35. by \*McMillan, \*Buck. (\*SB566 by \*Wilder, \*Atchley, \*Koella, \*Haynes, \*Womack, \*Rochelle, \*Henry, \*Gilbert)

On motion, House Bill No. 1053 was made to conform with **Senate Bill No.566**; the Senate Bill was substituted for the House Bill.

Rep. McMillan moved that Senate Bill No. 566 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. McMillan moved that **Senate Bill No. 566** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 96  
Noes ..... 0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt,

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Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**House Bill No. 772** -- Insurance, Health, Accident - Requires coverage of certain drugs by insurance policy or contract providing drug coverage. Amends TCA Title 56. by \*Jackson, \*Caldwell. (\*SB834 by \*Cooper, \*McNally, \*Cohen, \*Crutchfield, \*Dixon, \*Haun, \*Miller J, \*Rochelle, \*Springer)

On motion, House Bill No. 772 was made to conform with **Senate Bill No. 834**; the Senate Bill was substituted for the House Bill.

Rep. Jackson requested that House Bill No. 834 be moved down 1 place on the Calendar.

**House Bill No. 768** -- Insurance Companies, Agents, Brokers Authorizes state malpractice insurance companies to become state stock insurance companies. by \*Jackson. (\*SB279 by \*Haun)

On motion, House Bill No. 768 was made to conform with **Senate Bill No. 279**; the Senate Bill was substituted for the House Bill.

Rep. Jackson moved that Senate Bill No. 279 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Jackson moved that **Senate Bill No. 279** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0
Present and not voting .....	3

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tindell, Towns, Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.



Representatives present and not voting were: Kernell, Tidwell, Turner (Hamilton) -- 3.

A motion to reconsider was tabled.

**\*Senate Bill No. 834** -- Insurance, Health, Accident - Requires coverage of certain drugs by insurance policy or contract providing drug coverage. Amends TCA Title 56. by \*Cooper, \*McNally, \*Cohen, \*Crutchfield, \*Dixon, \*Haun, \*Miller J., \*Rochelle, \*Springer. (HB772 by \*Jackson, \*Caldwell)

Further consideration of Senate Bill No. 834, previously considered on today's Calendar, at which time the Senate Bill was substituted for the House Bill.

Rep. McMillan moved that Senate Bill No. 834 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 2.

Rep. McMillan moved that **Senate Bill No. 834** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	97
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**House Bill No. 761** -- Pardons and Paroles - Requires governor to notify speaker of senate and house and chair of respective judiciary committees of number and conviction offense of all sexual offenders for which Tennessee is receiving state under compact for out-of-state probation and parole supervision - Amends TCA Title 40, Chapter 35 and Title 40, Chapter 28. by \*Jackson. (\*SB1366 by \*Rochelle)

Rep. Jackson moved that House Bill No(s). 761 be reset for the Regular Calendar on Wednesday, May 14, 1997, which motion prevailed.

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**House Bill No. 760** -- Pardons and Paroles - Requires governor to notify speakers of senate and house and chairs of respective judiciary committees of conviction offense of felons residing in Tennessee under compact for out-of-state probation and parole supervision and sending state of such felons. Amends TCA Title 40, Chapter 28. by \*Jackson. (\*SB1365 by \*Rochelle)

Rep. Jackson moved that House Bill No(s). 760 be reset for the Regular Calendar on Wednesday, May 14, 1997, which motion prevailed.

**House Bill No. 801** -- Tennessee Bureau of Investigation - Authorizes TBI to create in TBI Tennessee missing children registry to provide picture of and information about missing children in this state with completed registry to be placed on Internet's Tennessee Home Page. Amends TCA Title 38, Chapter 6. by \*Jackson. (\*SB1457 by \*Rochelle)

Rep. Jackson moved that House Bill No(s). 801 be reset for the Regular Calendar on Wednesday, May 14, 1997, which motion prevailed.

**House Bill No. 800** -- Tennessee Bureau of Investigation - Authorizes creation of the Tennessee Internet Criminal Information Center in TBI to allow public Internet access to information compiled and maintained by TBI on certain categories of persons Amends TCA Title 38, Chapter 6. by \*Jackson, \*Stamps, \*Godsey, \*Goins, \*Mumpower. (\*SB1449 by \*Rochelle)

Rep. Jackson moved that House Bill No(s). 800 be reset for the Regular Calendar on Wednesday, May 14, 1997, which motion prevailed.

**House Bill No. 798** -- Sexual Offenses - Makes information in sexual offender registry public; requires TBI to put such information on Internet; establishes 1-800 telephone service for public to call about sexual offenders and produce CD-ROM containing sexual offender information Amends TCA Title 40, Chapter 39. by \*Jackson, \*Stamps, \*Godsey, \*Goins, \*Mumpower. (\*SB1552 by \*Rochelle)

Rep. Jackson moved that House Bill No(s). 798 be reset for the Regular Calendar on Wednesday, May 14, 1997, which motion prevailed.

**CHAIR TO DEBERRY**

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 1353** -- Telecommunications - Authorizes treble damages for failure to execute separate contracts for sale or lease of cellular phone or wireless phone capable of transmitting or receiving telephonic, electronic or radio communications more than 100 feet from its home base and sale or lease of such phone service. Amends TCA Title 47, Chapter 18. by \*Williams (Williamson). (\*SB734 by \*Kyle)

On motion, House Bill No. 1353 was made to conform with **Senate Bill No. 734**; the Senate Bill was substituted for the House Bill.

Rep. Williams moved that Senate Bill No. 734 be passed on third and final consideration.

On motion, Rep. West withdrew Consumer & Employee Affairs Committee Amendment No. 1.

Rep. Williams moved that **Senate Bill No. 734** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	97
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**\*House Bill No. 392** -- Workers' Compensation - Requires all subcontractors and employers in construction industry to carry workers' compensation insurance without regard to five employee threshold. Amends TCA Title 50, Chapter 6. by \*Williams (Williamson). (SB800 by \*Person)

Rep. Williams moved that House Bill No(s). 392 be reset for the Regular Calendar on Wednesday, May 14, 1997, which motion prevailed.

**House Bill No. 1441** -- Managed Care Organizations - Provides for civil action with attorney fees recoverable against HMOs. Amends TCA Title 56, Chapter 32. by \*Dunn. (\*SB329 by \*McNally, \*Rochelle)

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On motion, House Bill No. 1441 was made to conform with **Senate Bill No. 329**; the Senate Bill was substituted for the House Bill.

Rep. Dunn moved the Senate Bill No. 329 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Dunn moved that **Senate Bill No. 329** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 98  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

**\*House Bill No. 639** -- Alcoholic Beverages - Redefines "community theater" to permit Bessie Smith Hall, Hamilton County to obtain liquor by drink permit - Amends TCA Section 57-4-102. by \*Brown, \*Turner (Shelby). (SB1530 by \*Crutchfield)

Further consideration of House Bill No. 639, previously considered on March 24, 1997, and March 31, 1997, at which time the House adopted Amendment No. 1, the bill failed, and was re-referred to the Committee on Calendar and Rules, and reset to today's Calendar,

Rep. Brown requested that House Bill No. 639 be moved down 5 places on the Calendar.

**House Bill No. 1661** -- Bail, Bail Bonds - Requires bail bondsmen and bonding agents to print certain consumer information on back of all bail bonds with copy to be given to person entering bail agreement. Amends TCA Title 40, Chapter 11. by \*Boyer. (\*SB13 by \*Cohen)

On motion, House Bill No. 1661 was made to conform with **Senate Bill No. 13**; the Senate Bill was substituted for the House Bill.

**WEDNESDAY, MAY 7, 1997 -- THIRTY-NINTH LEGISLATIVE DAY**

Rep. Boyer moved that Senate Bill No. 13 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 13 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 11, is amended by adding the following language as a new, appropriately designated section:

Section \_\_\_\_\_. Any person utilizing the services of a professional bail bondsman or bonding agent shall receive a copy of the following notice with the person's bail bond. No changes may be made in the substance of the notice; but minor printing adjustments may be made. The notice may be printed on the face, back or as a separate attachment to the bond.

**NOTICE IF YOU USE A PROFESSIONAL BONDSMAN:**

**Amount of Charges to You.** The premium fee for your bond should not be more than ten percent (10%) of the face amount of your bond. For example, if your bond is \$2,500, the premium on the bond should not be more than \$250. In addition to this amount, the law also permits a one-time \$25 initiation fee, (T.C.A., § 40-11-316).

**Insist on a Receipt.** The law, (T.C.A., § 40-11-304), requires a bail bondsman to keep a duplicate receipt. The receipt must show the name of the person paying money or pledging property, the name of the person for whom it was paid, the account or purpose for which it is received, and the suit, action or matter in which the money is paid.

**Collateral that can be required.** If a bondsman insists on collateral in addition to the ten percent (10%) premium fee, you may wish to talk to another bondsman. However, a bondsman may accept collateral, and if the bondsman accepts collateral, the bondsman must give you a written receipt for the collateral, and the receipt shall give in detail a full description of the collateral received and the terms of redemption as required by T.C.A., § 40-11-126(8).

A BONDSMAN MAY NOT LOCK YOU BACK UP OR  
SURRENDER YOU ARBITRARILY OR WITHOUT GOOD CAUSE.  
CAUSE MAY INCLUDE YOUR FAILURE TO PERFORM YOUR

GOOD

OBLIGATIONS UNDER THE CONTRACT YOU HAVE WITH YOUR  
BONDSMAN (T.C.A. 40-11-126(7) & 40-11-132).

SECTION 2. This act shall take effect on July 1, 1997, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Boyer moved that **Senate Bill No. 13**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	97
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**\*House Bill No. 336** -- Juvenile Offenders - Requires restitution of ten times amount of damage if juvenile found to be delinquent based upon conduct constituting criminal offense of vandalism, parents jointly and severally liable for payment of restitution in such amount. Amends TCA Section 37-1-131. by \*Ridgeway, \*Ferguson, \*McDaniel, \*Stamps. (SB1231 by \*Herron)

Further consideration of House Bill No. 336, previously considered on May 1, 1997, at which time the House adopted Amendment(s) No(s). 2 and 3, and reset to today's Calendar.

Rep. Ridgeway moved that House Bill No(s). 336 be reset for the Regular Calendar on Wednesday, May 21, 1997, which motion prevailed.

**\*House Bill No. 1788** -- Employees, Employers - Defines 14 hours instead of 12 as "reasonable time" from date of cessation of employment, in which employee must withdraw from premises of employer, whether such severance is voluntary or due to discharge. Amends TCA Title 50, Chapter 1, Part 3. by \*Odom. (SB1864 by \*Herron)

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Further consideration of House Bill No. 1788, previously considered on May 1, 1997, and reset to today's Calendar.

Rep. Odom moved that House Bill No. 1788 be passed on third and final consideration.

Rep. West moved adoption of Consumer and Employees Affairs Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1788 by deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 50-1-304, is amended by adding the following as new subsection (b) and by relettering the existing subsection (b) and subsequent subsections accordingly:

(b) The provisions of this section shall apply to all employees who receive compensation from the federal government for services performed for the federal government, notwithstanding that such persons are not full-time employees of the federal government.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Odom moved that **House Bill No. 1788**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 95  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**House Bill No. 1147** -- Motor Vehicles, Titling and Registration - Requires registration plates to specify county of issue or county of residence of vehicle owner. Amends TCA Title 4; Title 55, Chapters 3 and 4. by \*Odom, \*Phelan, \*Ridgeway, \*Roach, \*Davis R. (\*SB702 by \*McNally)

Further consideration of House Bill No. 1147, previously considered on May 1, 1997, and reset to today's Calendar.

On motion, House Bill No. 1147 was made to conform with **Senate Bill No. 702**; the Senate Bill was substituted for the House Bill.

Rep. Odom moved that Senate Bill No. 702 be passed on third and final consideration.

On motion, Rep. Robinson withdrew Transportation Committee Amendment No. 1.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 2 as follows:

**Amendment No. 2**

AMEND Senate Bill No. 702 by deleting in the amendatory language of Section 1 the words "may receive" and by substituting instead the language "shall receive".

On motion, Amendment No. 2 was adopted.

Rep. Odom moved that **Senate Bill No. 702**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	96
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.



**House Bill No. 757** -- Sexual Offenses - Requires probationer or parolee convicted of certain sexual offenses applying for transfer of supervision to this state under interstate compact for parole and probation supervision to provide TBI with biological specimen for DNA analysis prior to approval of application Amends TCA Title 40, Chapter 28. by \*Jackson, \*Kent, \*Cole (Carter). (\*SB1369 by \*Rochelle)

Further consideration of House Bill No. 757, at which time it was objected to on the Consent Calendar and reset to today's Regular Calendar.

Rep. Jackson moved that House Bill No(s). 757 be reset for the Regular Calendar on Wednesday, May 14, 1997, which motion prevailed.

**\*House Bill No. 639** -- Alcoholic Beverages - Redefines "community theater" to permit Bessie Smith Hall, Hamilton County to obtain liquor by drink permit Amends TCA Section 57-4-102. by \*Brown, \*Turner (Shelby). (SB1530 by \*Crutchfield)

Further consideration of House Bill No. 639, previously considered on today's Calendar.

On motion, House Bill No. 639 was made to conform with **Senate Bill No. 1530**; the Senate Bill was substituted for the House Bill.

Rep. Brown moved that Senate Bill No. 1530 be passed on third and final consideration.

#### CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

#### REGULAR CALENDAR, CONTINUED

Rep. L. DeBerry moved the previous question, which motion prevailed.

Rep. Brown moved that **Senate Bill No. 1530** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	57
Noes .....	31
Present and not voting .....	6

Representatives voting aye were: Arriola, Bittle, Bone, Boner, Bowers, Brooks, Brown, Buck, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Fitzhugh, Fraley, Givens, Gunnels, Hargrove, Head, Hicks, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, McKee, McMillan, Miller, Odom, Phelan, Phillips, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Tidwell, Tindell, Towns, Turner (Shelby), West, Westmoreland, Whitson, Williams, Winningham, Mr. Speaker Naifeh -- 57.

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Representatives voting no were: Beavers, Burchett, Clabough, Cross, Dunn, Ferguson, Ford, Godsey, Goins, Haley, Hargett, Hassell, Kerr, Maddox, McAfee, McDaniel, Mumpower, Newton, Patton, Pinion, Pleasant, Scroggs, Sharp, Stamps, Stulce, Turner (Hamilton), Walker, Walley, White, Windle, Wood -- 31.

Representatives present and not voting were: Bird, Boyer, Fowlkes, Halteman-Harwell, Hood, Lewis -- 6.

A motion to reconsider was tabled.

**House Bill No. 758** -- Pardons and Paroles - Defines "family" for purposes of Tennessee being receiving state under interstate compact for out-of-state parole and probation supervision; requires family member with whom probationer or parolee to reside to be resident of Tennessee for three years; requires probationer or parolee to reside with family member at least one year; requires application of transfer of supervision to this state be denied if probationer or parolee residing in this state prior to approval of application by this state. Amends TCA Title 40, Chapter 28. by \*Jackson, \*Kent, \*Cole (Carter). (\*SB1368 by \*Rochelle)

Further consideration of House Bill No. 758, previously considered on May 5, 1997, at which time it was objected to on the Consent Calendar and reset to today's Regular Calendar.

Rep. Jackson moved that House Bill No(s). 758 be reset for the Regular Calendar on Wednesday, May 14, 1997, which motion prevailed.

**House Bill No. 799** -- Sexual Offenses - Requires person who is accessory before or after fact to or who facilitates commission of named sexual offense to register under Sexual Offender Registration and Monitoring Act. Amends TCA Title 40, Chapter 39, Part 1. by \*Jackson, \*Stamps, \*Godsey, \*Goins, \*Mumpower, \*Kent, \*Cole (Carter). (\*SB1465 by \*Rochelle)

Further consideration of House Bill No. 799, previously considered on May 5, 1997, at which time it was objected to on the Consent Calendar and reset to today's Regular Calendar.

Rep. Jackson moved that House Bill No(s). 799 be reset for the Regular Calendar on Wednesday, May 14, 1997, which motion prevailed.

**House Bill No. 1505** -- Dentists - Prohibits individuals, schools or educational programs from offering certification in specialty or branch of dentistry not recognized by board of dentistry. Amends TCA Section 63-5-113. by \*Odom. (\*SB642 by \*Person)

Further consideration of House Bill No. 1505, previously considered on May 5, 1997, at which time it was objected to on the Consent Calendar and reset to today's Regular Calendar.

Rep. Odom moved that **House Bill No. 1505** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 96  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

**House Bill No. 902** -- Criminal Offenses - Makes possession of tobacco product by minor Class C misdemeanor. Amends TCA Section 39-17-1505. by \*Fitzhugh. (\*SB360 by \*Cooper)

Further consideration of House Bill No. 902, previously considered on May 5, 1997, at which time the House adopted Amendment(s) No(s). 1, 3 and 4 and was on the motion to adopt Amendment No. 5, and reset to today's Calendar.

Rep. Fitzhugh moved that House Bill No. 902, as amended, be passed on third and final consideration.

Without objection, House Amendment No. 5 be moved to the heel of the Amendments.

Rep. Kerr moved adoption of Amendment No. 6 as follows:

**Amendment No. 6**

AMEND House Bill No. 902 by adding the following new section to be appropriately designated:

SECTION \_\_\_\_\_. The penalties provided for by this act shall only apply to third-time offenders of school tobacco policies.

Rep. Haley moved that Amendment No. 6 be tabled, which motion failed by the following vote:

Ayes..... 35  
Noes ..... 57

Representatives voting aye were: Armstrong, Bird, Buck, Cole (Carter), Curtiss, DeBerry J., Fitzhugh, Ford, Fowlkes, Fraley, Haley, Halteman-Harwell, Hargett, Hargrove, Hood, Jackson, Jones S., Kent, Maddox, McDonald, Odom, Patton, Phillips, Pinion, Pleasant, Rhinehart, Rinks, Ritchie, Robinson, Sands, Tindell, White, Windle, Winningham, Mr. Speaker Naifeh -- 35.

Representatives voting no were: Arriola, Beavers, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Burchett, Caldwell, Chumney, Clabough, Cole (Dyer), Cooper, Cross, Davidson, Davis, Dunn, Eckles, Ferguson, Givens, Godsey, Goins, Gunnels, Hassell, Head, Hicks, Huskey, Jones U., Kernell, Kerr, Lewis, McAfee, McDaniel, McKee, Miller, Mumpower, Phelan, Pruitt, Ridgeway, Roach, Sargent, Scroggs, Sharp, Stulce, Tidwell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Whitson, Williams, Wood -- 57.

Without objection, Rep. Rhinehart moved that House Bill No. 902 be re-referred to the Committee on Calendar and Rules.

#### MESSAGE CALENDAR

#### HOUSE ACTION ON SENATE AMENDMENTS

**House Bill No. 1848** -- Education - Permits nonresident elementary or secondary student to attend school where parent teaches. - Amends TCA Title 49, Chapter 6, Part 31. by \*Stulce, \*Sharp. (\*SB1737 by \*Crutchfield, \*Dixon)

#### Senate Amendment No. 1

AMEND House Bill No. 1848 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_ Tennessee Code Annotated, 49-6-3113, is amended by adding the following new sentence:

The provisions of this section are subject to the procedures in §§49-6-3104 and 49-6-3105.

Rep. Stulce moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 1848**, which motion prevailed by the following vote:

Ayes..... 97  
Noes ..... 0

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Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**UNFINISHED BUSINESS**

**MESSAGE FROM THE SENATE**

**May 7, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1052; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**NOTICE TO ACT ON SENATE MESSAGES**

Pursuant to Rule No. 59, notice was given that the following measure(s) from the Senate would be considered on May 8, 1997:

**House Bill No. 1052:** by Rep. McMillan

**RULES SUSPENDED**

Rep. McKee moved that the rules be suspended for the purpose of introducing **House Joint Resolution No. 263** out of order, which motion prevailed.

**House Joint Resolution No. 263** -- Memorials, Retirement - Laura Brown LeNoir. by \*McKee.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. McKee, the resolution was adopted.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. McKee moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 264 out of order, which motion prevailed.

**House Joint Resolution No. 264** -- Memorials, Retirement - Nell Whitaker. by \*McKee.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. McKee, the resolution was adopted.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Boyer moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 269 out of order, which motion prevailed.

**House Joint Resolution No. 269** -- Memorials, Personal Occasion - Dona Farmer, 81st birthday. by \*Boyer.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Boyer, the resolution was adopted.

A motion to reconsider was tabled.

**NOTICE TO ACT ON SENATE MESSAGES**

Pursuant to Rule No. 59, notice was given that the following measure(s) from the Senate would be considered on May 12, 1997:

**House Bill No. 187:** by Rep. Kernell

**RECALL REQUESTED**

Rep. Williams moved that **Senate Bill No. 734** be recalled from the Senate, which motion prevailed.

**BILLS WITHDRAWN**

On motion of Rep. Boyer, **House Bill No. 1003** was recalled from the Commerce Committee and withdrawn from the House.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Resolution No. 73:** Rep(s). Sands, White and Fowlkes as prime sponsor(s).

**House Joint Resolution No. 74:** Rep(s). Kerr, Clabough and Hargett as prime sponsor(s).

**House Bill No. 90:** Rep(s). Boner as first prime sponsor(s).

**House Bill No. 392:** Rep(s). Bowers as prime sponsor(s).

**House Bill No. 757:** Rep(s). Hassell, Hargett and Scroggs as prime sponsor(s).

**House Bill No. 758:** Rep(s). Hassell, Hargett and Scroggs as prime sponsor(s).

**House Bill No. 760:** Rep(s). Hassell, Hargett and Scroggs as prime sponsor(s).

**House Bill No. 761:** Rep(s). Hassell, Hargett and Scroggs as prime sponsor(s).

**House Bill No. 798:** Rep(s). Hassell, Cooper, Boner and Scroggs as prime sponsor(s).

**House Bill No. 799:** Rep(s). Hassell, Boner, Hargett, Cooper and Scroggs as prime sponsor(s).

**House Bill No. 800:** Rep(s). Hassell, Boner, Cooper and Scroggs as prime sponsor(s).

**House Bill No. 801:** Rep(s). Hassell, Boner, Hargett, Cooper and Scroggs as prime sponsor(s).

**House Bill No. 1055:** Rep(s). Godsey and Mumpower as prime sponsor(s).

**House Bill No. 1427:** Rep(s). Lewis as prime sponsor(s).

**SPONSORS REMOVED**

On motion, Rep(s). Kisber was/were removed as sponsor(s) of **House Bill No. 442**.

**MESSAGE FROM THE GOVERNOR**

**May 7, 1997**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 202, 276, 284, 417, 459, 1099, 1174, 1268, 1280, 1658, 1689, 1750, 1814,

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1969, 1970, 1972 and 1976, also, House Joint Resolution(s) No(s). 90, 115, 168, 203, 205, 206, 208, 209, 210, 218, 220, 224, 227, 230 and 240; with his approval.

COURTNEY PEARRE, Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR**

**May 7, 1997**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1974 and House Joint Resolution(s) No(s). 238, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

**ENROLLED BILLS**

**May 7, 1997**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 345, 555, 622, 810, 1106 and 1165.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**May 7, 1997**

The Speaker signed the following: House Bill(s) No(s). 345, 555, 622, 810, 1106 and 1165.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

**May 7, 1997**

The Speaker signed the following: Senate Bill(s) No(s). 179, 405, 414, 643, 770, 1531, 1661, 1764, 1766 and 1831.

**REPORT OF CHIEF ENGROSSING CLERK**

**May 7, 1997**

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 345, 555, 622, 810, 1106 and 1165.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**ENGROSSED BILLS**

**May 7, 1997**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 1202, also, House Joint Resolution(s) No(s) 241, 243, 245, 246, 247, 249 and 250.

BETTY KAY FRANCIS, Chief Engrossing Clerk.



**MESSAGE FROM THE SENATE**

**May 7, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 87, 331, 424, 428, 443, 504, 647, 1095, 1588, 1620, 1663, 1674, 1754, 1845, 1884 and 1948; also, Senate Joint Resolution(s) No(s). 153, 203, 204, 205, 207, 208, 210, 211 and 212 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 7, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 345, 555, 622, 810, 1106 and 1165; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**ENGROSSED BILLS**

**May 7, 1997**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 1505 and 1788.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**May 7, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 368, 1982, 1987 and 1989; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**SIGNED**

**May 7, 1997**

The Speaker signed the following: Senate Bill(s) No(s). 87, 331, 424, 428, 443, 504, 647, 1095, 1588, 1620, 1663, 1674, 1754, 1845, 1884 and 1948; also, Senate Joint Resolution(s) No(s). 153, 203, 204, 205, 207, 208, 210, 211 and 212.

**ENGROSSED BILLS**

**May 7, 1997**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 263, 264 and 269.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**May 7, 1997**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 221, 223 and 235; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 7, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 267, 494, 849 and 1524; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 7, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1495; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 7, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1025; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 7, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1208 and 1531; both substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE**

**May 7, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 645, 826, 1093, 1368, 1369, 1972, 1996, 1997, 1998 and 2001; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

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**Senate Bill No. 645** -- Courts - Makes certain changes to allow for addition of in-house collection procedure to collect fines, litigation taxes, and costs. Amends TCA Title 40, Chapter 24. by \*Person.

**\*Senate Bill No. 826** -- Metropolitan Government - Authorizes creation of charter commission by petition signed by 20 percent of voters in county. Amends TCA Title 7, Chapter 2. by \*Rochelle.

**\*Senate Bill No. 1093** -- Adoption - Reduces from the fourth to the third day of the child's life in which surrender or parental consent is valid; authorizes court to waive waiting period for good cause. Amends TCA Title 36, Chapter 1. by \*Rochelle.

**\*Senate Bill No. 1368** -- Pardons and Paroles - Defines "family" for purposes of Tennessee being receiving state under interstate compact for out-of-state parole and probation supervision; requires family member with whom probationer or parolee to reside to be resident of Tennessee for three years; requires probationer or parolee to reside with family member at least one year; requires application of transfer of supervision to this state be denied if probationer or parolee residing in this state prior to approval of application by this state. Amends TCA Title 40, Chapter 28. by \*Rochelle.

**\*Senate Bill No. 1369** -- Sexual Offenses - Requires probationer or parolee convicted of certain sexual offenses applying for transfer of supervision to this state under interstate compact for parole and probation supervision to provide TBI with biological specimen for DNA analysis prior to approval of application. Amends TCA Title 40, Chapter 28. by \*Rochelle.

**Senate Bill No. 1972** -- School Districts, Special - Sets June 1997 as time of election of board of trustees of Kenton Special School District instead of August 1998 to coincide with Kenton city elections. Amends Chapter 84 of the Public Acts of 1947. by \*Carter.

**Senate Bill No. 1996** -- Kingston Springs - Subject to local approval, enacts "Kingston Springs Municipal Adequate Facilities Tax." by \*Kurita.

**Senate Bill No. 1997** -- Pegram - Subject to local approval, enacts "Pegram Municipal Adequate Facilities Tax." by \*Kurita.

**Senate Bill No. 1998** -- Ashland City - Subject to local approval, enacts "Ashland City Municipal Adequate Facilities Tax." by \*Kurita.

**Senate Bill No. 2001** -- Manchester - Subject to local approval, revises charter. - Amends Chapter 273 of the Private Acts of 1959, as amended. by \*Burks.

MESSAGE FROM THE SENATE

May 7, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 142, 225, 227, 228 and 229; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Joint Resolution No. 142** -- Memorials, Congress - Urges and encourages exercise of oversight and regulatory authority to require FCC to restore traditional regulatory balance between states and federal government. by \*Rochelle.

**Senate Joint Resolution No. 225** -- Memorials, Death - Attorney General David M. Pack. by \*Henry, \*Haynes, \*Cohen, \*Atchley, \*Koella, \*Rochelle, \*Herron, \*Davis L, \*Harper.

**Senate Joint Resolution No. 227** -- Memorials, Professional Achievement - Roger Crouch, Payload Specialist, Space Shuttle Columbia. by \*Davis L, \*Burks.

**Senate Joint Resolution No. 228** -- Memorials, Sports - Eric Bachelor, Martin Westview boys' basketball player. by \*Herron.

**Senate Joint Resolution No. 229** -- Memorials, Sports - 1996-1997 Sharon High School boys' basketball team, TSSAA Class A state tournament participant. by \*Herron.

ROLL CALL

The roll call was taken with the following results:

Present ..... 98

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hasmilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 98.

RECESS MOTION

On motion of Rep. Hargrove, the House recessed until 9:00 a.m., Thursday, May 8, 1997.